

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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THE BURLINGTON NORTHERN and )  
SANTA FE RAILWAY COMPANY, and )  
CARROLL COUNTY, ILLINOIS, )

Petitioners, )

v. )

STATE OF ILLINOIS, DEPARTMENT )  
OF TRANSPORTATION, )

Respondent. )

Petition for an order formally )  
designating as a public at grade )  
crossing the at grade crossing )  
created by the intersection of the )  
tracks of The Burlington Northern )  
and Santa Fe Railway Company and )  
Carroll County, Illinois, Highway )  
CH 110, DOT No. 069913L, Milepost )  
153.91 and for an order determining )  
the adequacy of the warning )  
devices at the aforesaid grade )  
crossing location. )

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No. T02-0033

**RECEIVED**  
APR 9 2002

Illinois Commerce Commission  
RAIL SAFETY SECTION

PETITION

Now comes joint petitioners, The Burlington Northern and Santa Fe Railway Company ("BNSF"), by its attorneys, Kenneth J. Wysoglad & Associates, and Carroll County, Illinois, by Carroll County States Attorney, Scott L. Brinkmeier and petitions the Illinois Commerce Commission for an order formally designating the at grade crossing at the intersection of the tracks of BNSF and Carroll County, Illinois, Highway CH 110 as a public at grade crossing within the meaning of the Illinois Commercial Transportation Code, 625 ILCS 5/18c-1101 et seq., and for an order determining the adequacy of the warning devices at the aforesaid at grade crossing location. In support hereof, petitioners state as follows:


1. Carroll County, Illinois is a municipal governmental entity established under the laws of the State of Illinois.
2. BNSF is a Delaware corporation with its principal place of business in Ft. Worth, Texas and is authorized to transact business in the State of Illinois and transacts business as a common carrier by railroad in interstate and intrastate commerce.
3. BNSF operates a double main line track in a generally north to south direction through Carroll County, Illinois.
4. Located, in part within Carroll County, Illinois is certain property commonly known or referred to as the "Savanna Army Depot". Located within the Savanna Army Depot property is a certain roadway formerly referred to as "Crim Drive".
5. Crim Drive intersects with the tracks of BNSF creating an at grade crossing at milepost 153.91, DOT No. 069 913L. The subject at grade crossing is currently equipped with automatic flashing light signals, gates and bell. Attached hereto and made a part hereof is a copy of the U.S. DOT-AAR Crossing Inventory Sheet with respect to the subject at grade crossing.

6. Carroll County, Illinois has assumed ownership of and jurisdiction over Crim Drive, including that portion of the roadway traversing BNSF's trackage at the grade crossing established at milepost 153.91, DOT No. 069 913L. Carroll County, Illinois has designated former Crim Drive as Carroll County Highway CH 110. (See Exhibit B attached). As the roadway crossing the tracks of BNSF at Milepost 153.91, DOT No. 069 913L is now a dedicated roadway open to the traveling public, petitioners herein request the Illinois Commerce Commission designate the subject at grade crossing as a public at grade crossing as defined by the provisions of the Illinois Commercial Transportation Code, 625 ILCS 5/18c-1101 et seq.
7. Petitioners herein further request that the Illinois Commerce Commission make a determination as to the adequacy of the warning devices at the aforesaid at grade crossing and determine the same to be adequate and appropriate for the protection and safety of the traveling public.


Wherefore, petitioners, The Burlington Northern and Santa Fe Railway Company and Carroll County, Illinois pray that the Illinois Commerce Commission set the aforesaid matter for public hearing and enter an order formally designating the at grade crossing at the intersection of the tracks of The Burlington Northern and Santa Fe

Railway Company and Crim Drive (Carroll County Highway CH 110) as a public at grade crossing within the meaning within the Illinois Commercial Transportation Code, 625 ILCS 5/18c-1101 et seq. and finding that the automatic flashing light signals and gates existing at the aforesaid grade crossing location are adequate and appropriate to protect the safety of the general traveling public and such other and further relief as the Illinois Commerce Commission deems appropriate.

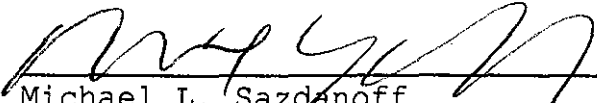
THE BURLINGTON NORTHERN AND  
SANTA FE RAILWAY COMPANY

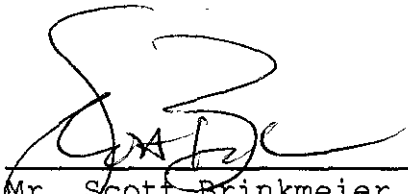
By:   
Ms. Cheryl Townlian  
Manager of Public Projects  
The Burlington Northern and  
Santa Fe Railway Company

CARROLL COUNTY, ILLINOIS

By:   
Kevin Vandendooren, P.E.  
Carroll County, Engineer

KENNETH J. WYSOGLAD & ASSOCIATES

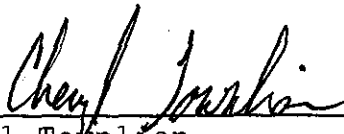
  
Michael L. Sazdanoff  
Kenneth J. Wysoglad & Associates  
Attorneys for Petitioner  
The Burlington Northern and  
Santa Fe Railway Company  
118 S. Clinton Street, Suite 700  
Chicago, Illinois 60661  
(312) 441-0333

  
Mr. Scott Brinkmeier  
States Attorney, Carroll County  
P.O. Box 209  
Mt. Carroll, Illinois 61053

STATE OF MISSOURI     )  
                              )   SS  
COUNTY OF GREEN     )

**VERIFICATION**

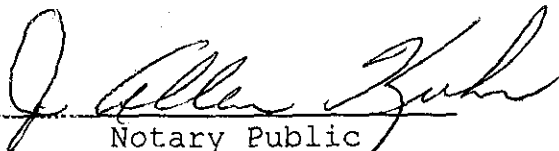
Cheryl Townlian, being duly sworn on oath, states that she is Manager of Public Projects for The Burlington Northern and Santa Fe Railway Company, one of the petitioners herein; she is duly authorized by said Railroad Company to sign, verify and file the foregoing petition; that she has knowledge of the matters set forth in said petition and that the same are true and correct.

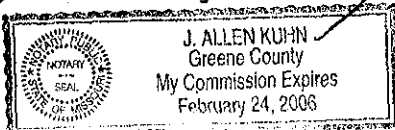
  
\_\_\_\_\_  
Cheryl Townlian

Subscribed and sworn to

before me this 5

day of MARCH, 2002

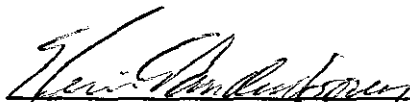
  
\_\_\_\_\_  
Notary Public



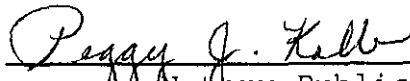
STATE OF ILLINOIS     )  
                              )   SS  
COUNTY OF CARROLL    )

VERIFICATION

Kevin Vandendooren, being duly sworn on oath, states that he is County Engineer for Carroll County, Illinois, one of the petitioners herein; he is duly authorized by said Carroll County, Illinois to sign, verify and file the foregoing petition; that he has knowledge of the matters set forth in said petition and that the same are true and correct.

  
Kevin Vandendooren

Subscribed and sworn to  
before me this 21st  
day of March, 2002

  
Notary Public



**U.S. DOT - AAR CROSSING INVENTORY INFORMATION  
AS OF 1/23/02**

Crossing #: **069913L**      Status: **Changed Crossing**  
Railroad: **Burlington Northern Santa Fe Corporation**  
Initiating Agency **Railroad**

Effective Begin-Date of Record: **08/17/99**  
**Current Record**

**Part I Location and Classification of Crossing**

Division:	<b>MINNESOTA</b>	Subdivision:	<b>AURORA</b>
State:	<b>IL</b>	Nearest City:	<b>SAVANNA</b>
County:	<b>CARROLL</b>	County Map Ref. No.:	
Highway Type & No.:		FRA RR Network Lic:	<b>BN011</b>
Street or Road Name:	<b>PROVING GROUND</b>	RailRoad I.D. No.:	<b>0003</b>
Branch or Line Name:	<b>AURORA-N LACROS</b>	Railroad Milepost:	<b>0153.91</b>
Nearest RR Timetable Stn:	<b>WHITTON</b>		
Crossing Type and Protection:	<b>Private At Grade,Industrial,Signals,GATES</b>		

**Part II Detailed Information**

Typical Number of Daily Train Movements:	<b>19</b>	Day Thru	<b>0</b>	Day Switching	<b>0</b>	Night Switching	<b>15</b>	Night Thru	
Speed of Train at Crossing: Maximum Time Table Speed	<b>65</b>			Typical Speed Range Over Crossing From	<b>1</b>			to	<b>65</b> mph
Type and Number of Tracks	<b>2</b>	Main	<b>1</b>	Other					
Does Another RR Operate a Separate Track at Crossing?	<b>No</b>								
Does Another RR Operate Over Your Track at Crossing?	<b>No</b>								

**Type of Warning Device(s) at Crossing**

Signs:

<b>0</b> Reflectorized Crossbucks	<b>0</b> Non-Reflectorized Crossbucks	<b>0</b> Standard Highway Stop Sign(s)
<b>0</b> Other Stop Sign(s)	<b>2</b> Other Signs: <b>3TRACKS</b>	<b>0</b> Other Signs:

Train Activated Devices:

<b>2</b> R/W Reflectorized Gates	<b>0</b> Other Colored Gates	<b>2</b> Mast Mounted FL
<b>0</b> Cantilevered FL (Over)	<b>0</b> Cantilevered FL (Not over)	<b>0</b> Other Flashing Lights
<b>0</b> Highway Traffic Signals	<b>0</b> Wigwags	<b>1</b> Bells

Special Warning Device Not Train Activated: **- None -**

Is Commercial Power Available? **Yes**

Does Crossing Signal Provide Speed Selection for Trains? **Yes**

Method of Signalling for Train Operation: Is Track Equipped With Signals? **Yes**

**Part III: Physical Data**

Type of Development:	<b>Industrial</b>
Smallest Crossing Angle:	<b>60 to 90 Degrees</b>
Number of Traffic Lanes Crossing Railroad	<b>2</b>
Are Truck Pullout Lanes Present?	<b>No</b>
Is Highway Paved?	<b>Yes</b>
Pavement Markings	<b>No Markings</b>
Are RR Advance Warning Signs Present?	<b>Yes</b>
Crossing Surface:	<b>Asphalt</b>
Does Track Run Down a Street?	<b>No</b>
Nearby Intersecting Highway?	<b>Less than 75 feet</b>

**Part IV: Highway Department**

Highway System:	<b>Non-Federal-aid</b>
Is Crossing on State Highway System?	<b>No</b>
Functional Classification of Road Over Crossing:	<b>Rural Local</b>
Estimated AADT:	<b>000100</b>
Estimated Percent Trucks:	<b>05</b>

**EXHIBIT A**

State of Illinois  
Before the County Board of Carroll County  
Resolution No. 1100-17

*A resolution to accept jurisdiction over certain roads within the boundaries of the former Savanna Army Depot Activity.*

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WHEREAS, the County Board by intergovernmental agreement with the County Board of Jo Daviess County has established the Jo-Carroll Depot Local Redevelopment Authority (hereinafter referred to as "the LRA"); and

WHEREAS, the LRA is an agency of the Counties of Carroll and Jo Daviess; and

WHEREAS, the LRA is authorized by the same intergovernmental agreement to implement a base re-use plan for the former Savanna Army Depot Activity; and

WHEREAS, effective on or about March 15, 2001, in accordance with the same base re-use plan the LRA will receive on behalf of the County of Carroll from the Department of the Army the roads identified in the attached Exhibit A through a supplemental agreement between the LRA and the Department of the Army, and that those roads should be brought into the jurisdiction of the County of Carroll in accordance with the duties and authority of the LRA and in accordance with the base re-use plan;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF CARROLL COUNTY:

The County Board of Carroll County hereby accepts jurisdiction of the roads located within the territory of the former Savanna Army Depot Activity as so identified on the roadway map attached hereto as Exhibit A as of the effective date of the aforesaid supplemental agreement.

Passed this 16 day of November A.D. 2000 by the County Board of Carroll County.

  
Chairman

State of Illinois     )  
                              ) ss.  
County of Carroll    )

I, Judith A. Gray, County Clerk for Carroll County, State of Illinois, keeper of the records and files thereof in accordance with law, do hereby certify the foregoing resolution

EXHIBIT B



was passed by the Carroll County Board at its regular monthly meeting held at Mt. Carroll,  
Illinois and the date aforesaid in accordance with law .

In testimony whereof, I have hereunto set my hand and seal at my office at Mt.

Carroll, Illinois this 16<sup>th</sup> day of November A.D. 2000.

[Seal]

Judith A. Gray

Judith A. Gray

Carroll County Clerk

APPROVED

8-13 2001  
Dept. of Transportation

James C. Shifor  
Director of Highways

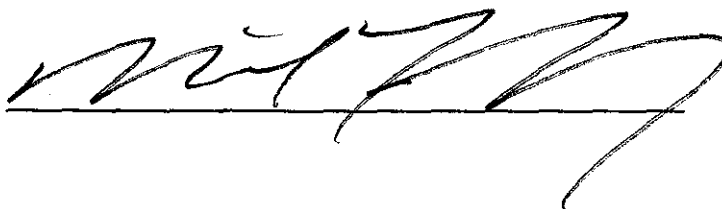
**PROOF OF SERVICE**

Michael L. Sazdanoff, being first duly sworn on oath, deposes and says that on the 5 day of April, 2002, he caused to be served, a true and correct copy of **PETITION** upon:

Mr. Henry Humphries  
Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, Illinois 62701

Mr. James C. Slifer  
Director, Division of Highways  
Illinois Department of Transportation  
2300 S. Dirksen Pkwy., Suite 300  
Springfield, IL 62764

by depositing same in the U.S. Mail depository located at Adams and Clinton Streets, Chicago, Illinois in an envelope(s) with first-class postage, prepaid.

A handwritten signature in dark ink, appearing to read "Michael L. Sazdanoff", is written over a horizontal line.